

# **Exhibit A**

## Neil Binder

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**From:** Neil Binder  
**Sent:** Friday, September 4, 2020 3:49 PM  
**To:** Oxford, Neil; Mark Allison  
**Cc:** Greg Pruden; Smith, Dustin; Weinstein, Marc A.; Pamukcu, Erin; Tom Murphy  
**Subject:** RE: SKAT: Letters Rogatory

Neil,

(a) We confirm that the revised language addresses the concern we raised regarding the definition of Defendants.

(b) We do not confirm that ED&F is not objecting to BNP's compliance with SKAT's requests for documents and testimony. ED&F is not waiving any objections to BNP's compliance whether on the basis of French bank secrecy laws or otherwise.

However, although ED&F does not waive and reserves all rights with respect to document production or testimony by BNP, ED&F will not object to SKAT requesting that the Court issue the Request directed to BNP.

Regards,

Neil

**Neil S. Binder**  
[Binder & Schwartz LLP](#)  
366 Madison Avenue, 6th Floor  
New York, NY 10017  
Tel: 212.510.7031  
Cell: 917.946.5245  
Fax: 212.510.7299  
email: [nbinder@binderschwartz.com](mailto:nbinder@binderschwartz.com)

[binderschwartz.com](http://binderschwartz.com)

\* \* \*

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**From:** Oxford, Neil <[neil.oxford@hugheshubbard.com](mailto:neil.oxford@hugheshubbard.com)>  
**Sent:** Friday, September 4, 2020 2:12 PM

**To:** Neil Binder <[nbinder@binderschwartz.com](mailto:nbinder@binderschwartz.com)>; Mark Allison <[mallison@capdale.com](mailto:mallison@capdale.com)>

**Cc:** Greg Pruden <[gpruden@binderschwartz.com](mailto:gpruden@binderschwartz.com)>; Smith, Dustin <[dustin.smith@hugheshubbard.com](mailto:dustin.smith@hugheshubbard.com)>; Weinstein, Marc A. <[marc.weinstein@hugheshubbard.com](mailto:marc.weinstein@hugheshubbard.com)>; Pamukcu, Erin <[Erin.pamukcu@hugheshubbard.com](mailto:Erin.pamukcu@hugheshubbard.com)>; Tom Murphy <[tmurphy@binderschwartz.com](mailto:tmurphy@binderschwartz.com)>

**Subject:** RE: SKAT: Letters Rogatory

Neil,

Thanks for your response. I attach revised drafts. Please confirm (a) that these versions address the concern your raised on September 2, and (b) that ED&F does not object to BNP complying with SKAT's requests for documents and (if necessary) testimony, on the basis of French bank secrecy laws or otherwise.

Best,

Neil

**Neil Oxford** | Partner

**Hughes Hubbard & Reed LLP**

One Battery Park Plaza, 16th floor | New York, NY 10004-1482

Office +1 (212) 837-6843 | Cell +1 (646) 709-1424 | Fax +1 (212) 299-6843

[neil.oxford@hugheshubbard.com](mailto:neil.oxford@hugheshubbard.com) | [bio](#)

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**From:** Neil Binder <[nbinder@binderschwartz.com](mailto:nbinder@binderschwartz.com)>

**Sent:** Thursday, September 3, 2020 11:59 AM

**To:** Oxford, Neil <[neil.oxford@hugheshubbard.com](mailto:neil.oxford@hugheshubbard.com)>; Mark Allison <[mallison@capdale.com](mailto:mallison@capdale.com)>

**Cc:** Greg Pruden <[gpruden@binderschwartz.com](mailto:gpruden@binderschwartz.com)>; Smith, Dustin <[dustin.smith@hugheshubbard.com](mailto:dustin.smith@hugheshubbard.com)>; Weinstein, Marc A. <[marc.weinstein@hugheshubbard.com](mailto:marc.weinstein@hugheshubbard.com)>; Pamukcu, Erin <[Erin.pamukcu@hugheshubbard.com](mailto:Erin.pamukcu@hugheshubbard.com)>; Tom Murphy <[tmurphy@binderschwartz.com](mailto:tmurphy@binderschwartz.com)>

**Subject:** RE: SKAT: Letters Rogatory

**CAUTION: This email was sent by someone outside of the Firm.**

Neil,

Subject to the change in my earlier email, ED&F will not object to SKAT requesting that the Court issue the Request seeking documents from BNP. In not objecting, please note that ED&F does not agree with the characterization of the Nature of the Proceedings and certain other statements in the Requests.

Please send us the revised Requests so we may review before you file.

Thanks,

Neil

**Neil S. Binder**

Binder & Schwartz LLP  
366 Madison Avenue, 6th Floor  
New York, NY 10017  
Tel: 212.510.7031  
Cell: 917.946.5245  
Fax: 212.510.7299  
email: [nbinder@binderschwartz.com](mailto:nbinder@binderschwartz.com)

binderschwartz.com

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**From:** Oxford, Neil <[neil.oxford@hugheshubbard.com](mailto:neil.oxford@hugheshubbard.com)>  
**Sent:** Wednesday, September 2, 2020 7:37 PM  
**To:** Neil Binder <[nbinder@binderschwartz.com](mailto:nbinder@binderschwartz.com)>; Mark Allison <[mallison@capdale.com](mailto:mallison@capdale.com)>  
**Cc:** Greg Pruden <[gpruden@binderschwartz.com](mailto:gpruden@binderschwartz.com)>; Smith, Dustin <[dustin.smith@hugheshubbard.com](mailto:dustin.smith@hugheshubbard.com)>; Weinstein, Marc A. <[marc.weinstein@hugheshubbard.com](mailto:marc.weinstein@hugheshubbard.com)>; Pamukcu, Erin <[Erin.pamukcu@hugheshubbard.com](mailto:Erin.pamukcu@hugheshubbard.com)>; Tom Murphy <[tmurphy@binderschwartz.com](mailto:tmurphy@binderschwartz.com)>  
**Subject:** Re: SKAT: Letters Rogatory

Thanks Neil. That sounds like a good catch. Will take a look, and look forward to hearing from you tomorrow.

Mark, can you please report for the wider group? I am assuming no news is good news...

Best,

Neil

**Neil Oxford** | Partner

**Hughes Hubbard & Reed LLP**  
One Battery Park Plaza, 16th floor | New York, NY 10004-1482  
Office +1 (212) 837-6843 | Cell +1 (646) 709-1424 | Fax +1 (212) 299-6843  
[neil.oxford@hugheshubbard.com](mailto:neil.oxford@hugheshubbard.com) | [bio](#)

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On Sep 2, 2020, at 4:55 PM, Neil Binder <[nbinder@binderschwartz.com](mailto:nbinder@binderschwartz.com)> wrote:

**CAUTION: This email was sent by someone outside of the Firm.**

Neil,

Apologies for not being able to respond today, but I should be able to get back to you by noon tomorrow.

There is at least one change that we will want you to make. In both of the draft Requests for International Judicial Assistance, ED&F is included in the definition of Defendants by virtue of its inclusion on Exhibit A. Defendants are, in turn, characterized as "Claimants" in the body of the letter. Since ED&F was not a Claimant (nor is it a defendant with respect to SKAT), we ask that you revise the Request so that ED&F is removed from those definitions.

Thanks,

Neil

**Neil S. Binder**

[Binder & Schwartz LLP](#)

366 Madison Avenue, 6th Floor

New York, NY 10017

Tel: 212.510.7031

Cell: 917.946.5245

Fax: 212.510.7299

email: [nbinder@binderschwartz.com](mailto:nbinder@binderschwartz.com)

[binderschwartz.com](http://binderschwartz.com)

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---

**From:** Oxford, Neil <[neil.oxford@hugheshubbard.com](mailto:neil.oxford@hugheshubbard.com)>

**Sent:** Friday, August 28, 2020 2:22 PM

**To:** Mark Allison <[mallison@Capdale.com](mailto:mallison@Capdale.com)>; Neil Binder <[nbinder@binderschwartz.com](mailto:nbinder@binderschwartz.com)>

**Cc:** Greg Pruden <[gpruden@binderschwartz.com](mailto:gpruden@binderschwartz.com)>; Smith, Dustin <[dustin.smith@hugheshubbard.com](mailto:dustin.smith@hugheshubbard.com)>; Weinstein, Marc A. <[marc.weinstein@hugheshubbard.com](mailto:marc.weinstein@hugheshubbard.com)>; Pamukcu, Erin <[Erin.pamukcu@hugheshubbard.com](mailto:Erin.pamukcu@hugheshubbard.com)>

**Subject:** SKAT: Letters Rogatory

Dear Mark and Neil,

SKAT intends to seek orders from Judge Kaplan granting the attached letters Rogatory directed to Societe Generale and BNP. Mark, as lead defense counsel can you please confirm that no defendant has any objection to the relief sought? Neil, can you please confirm ED&F Man consents to BNP providing the information sought?

Would appreciate confirmation by Wednesday September 2. Happy to discuss if helpful.

Best,

Neil

**Neil Oxford** | Partner

**Hughes Hubbard & Reed LLP**

One Battery Park Plaza, 16th floor | New York, NY 10004-1482

Office +1 (212) 837-6843 | Cell +1 (646) 709-1424 | Fax +1 (212) 299-6843

[neil.oxford@hugheshubbard.com](mailto:neil.oxford@hugheshubbard.com) | [bio](#)

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